

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Newport News Division

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 4:08cr147

ERIC SMITH
a/k/a "Capone",
a/k/a "Pone"

Defendant.

NOTICE OF APPEAL

NOTICE is hereby given that Eric Smith a/k/a "Capone", a/k/a "Pone", the defendant-appellant herein, files and enters his appeal to the United States Court of Appeals for the Fourth Circuit from the Final Order involving his convictions and sentences in the above referenced matter entered by this United States District Court on the 26th day of March 2010.

RESPECTFULLY SUBMITTED,

ERIC SMITH
a/k/a "Capone",
a/k/a "Pone"

By: /s/ Harry Dennis Harmon, Jr.
Of Counsel

Harry Dennis Harmon, Jr., Esquire
Virginia State Bar No. 32395
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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd of March 2010, I will electronically file the foregoing Notice of Appeal with the Clerk of Court using CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Howard J. Zlotnick
Assistant U.S. Attorney
U.S. Attorney's Office
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721 Lakefront Commons, Suite 300
Newport News, Virginia 23606
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Facsimile No: (757) 591-0866
E-Mail Address: howard.zlotnick@usdoj.gov

I hereby further certify that on the 2nd of March 2010, I mailed a true copy of the foregoing Notice of Appeal to the following non-filing user:

Eric Smith
Portsmouth City Jail
701 Crawford Street
Portsmouth, Virginia 23704

/s/ Harry Dennis Harmon, Jr.
Harry Dennis Harmon, Jr., Esquire
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